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CONSTITUTION, BY-LAWS,
AND
ACT OF INCORPORATION
OF THE
NEW YORK
ACADEMY OF MEDICINE.

ADOPTED OCTOBER 20TH, 1858.

UNA FIDES, ALTARE COMMUNE

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CONSTITUTION.

ART. I.

THIS Association shall be called the NEW YORK ACADEMY OF MEDICINE, and shall be composed of Resident, Non-Resident, Corresponding, and Honorary Fellows.

ART. II.

The objects of the Academy shall be :—

First. The cultivation of the Science of Medicine.

Second. The advancement of the character and honor of the Profession.

Third. The elevation of the standard of Medical Education.

Fourth. The promotion of the Public Health.

ART. III.

Each candidate for Resident Fellowship, must have been a graduate or licentiate in medicine residing in this city and county, or in either of the counties of this State thereunto adjoining, for three years, and must be proposed in writing by three Fellows personally acquainted with him, and may be elected by a three-fourths vote, at any subsequent stated meeting. Resident Fellows removing permanently from the city or vicinity, may become Non-Resident Fellows by vote of the Academy.

ART. IV.

Corresponding Fellows must be men of eminence, actively engaged in the cultivation of Medical Science, and their number shall be limited to one hundred.

Honorary Fellows must be citizens of the United States, and have been long distinguished in their profession. Their number shall be limited to fifty.

The election of Corresponding and Honorary Fellows must be by a three-fourths vote, at a stated meeting, at least one month after recommendation by the Committee on Admissions.

ART. V.

§ 1. There shall be a President, three Vice Presidents, a Recording Secretary, a Corresponding Secretary, a Treasurer, and five Trustees, all of whom shall be elected by ballot and by a majority vote.

These officers, together with the chairmen of the standing committees, shall constitute a Council. There shall also be a Librarian and an Assistant Secretary, the latter to be nominated by the Recording Secretary, and both to be appointed by the Council.

§ 2. The President shall be elected for the term of two years; the Vice Presidents for the term of three years, one retiring and one being elected each year, the order of retiring to be determined by lot at their first meeting. The Recording and Corresponding Secretaries, and the Treasurer, shall be elected for the term of three years; the Trustees for the term of five years, one being elected and one retiring each year, the order of retiring to be determined by lot, at their first meeting.

§ 3. No Fellow shall be eligible to the office of President for two successive terms.

ART. VI.

§ 1. The following Standing Committees shall be elected for the term of five years by ballot or otherwise, and shall consist of five members each, one member for each committee being elected and one retiring yearly; and they shall severally perform such duties as may be assigned to them:

1. A Committee on Admissions. 2. A Committee on Medical Ethics. 3. A Committee on Medical Education.

§ 2. The Academy shall be divided into six sections, viz.: Section 1, Anatomy and Physiology. Section 2, Surgery. Section 3, Theory and Practice of Medicine. Section 4, Obstetrics and Diseases of Women and Children. Section 5, Chemistry, Pharmacy, Materia Medica and Botany. Section 6, Public Health and Legal Medicine.

To one or the other of these Sections each Resident Fellow of the Academy shall be assigned.

ART. VII.

§ 1. Every Fellow desiring it, shall be furnished with a duly-authenticated certificate of fellowship, which may be revoked for cause ; and in case of refusal to surrender the same, the Academy may publish said revocation in the public journals.

§ 2. Any Fellow, having complied with the requirements of the Constitution and By-Laws, may resign his fellowship, by presenting at a stated meeting a communication in writing to that effect.

§ 3. No resignation shall be valid until accepted by the Academy.

ART. VIII.

The Academy hereby reserves the right of punishing violations of its regulations, or of its code of Medical Ethics, by reprimand, suspension, or expulsion ; and will recognize as a regular practitioner, no Fellow who has been expelled.

ART. IX.

No part of this Constitution shall be altered, except at a stated meeting, subsequent to one at which a proposition to that effect shall have been made in writing, and then only by a vote of three-fourths of the Resident Fellows present.

BY-LAWS.

I.—MEETINGS AND NOMINATIONS.

§ 1. The Stated Meetings of the Academy shall be held on the first and third Wednesdays of every month, except when the regular day is the first day of January or the fourth day of July.

§ 2. At the first stated meeting in December all annual reports, and all nominations for the officers to be elected by the Academy, shall be made.

§ 3. At the first stated meeting in November an Anniversary Discourse shall be delivered.

§ 4. The Elections shall be held at the first stated meeting in January, except under extraordinary circumstances, when special provision may be made.

§ 5. Special meetings may be called at any time by the President, upon the requisition in writing, of any ten Resident Fellows.

§ 6. At all meetings, twenty-one Resident Fellows shall be necessary to constitute a quorum.

§ 7. The hours for holding stated meetings shall be : from April 1st to October, 8 o'clock, P. M. ; and from October 1st to April, 7 o'clock, P. M.

II.—THE PRESIDENT

Shall preside over all meetings ; regulate all debates ; call for reports ; summon extraordinary meetings on urgent occasions ; sign all diplomas, letters-testimonial, and other documents requiring his signature ; appoint all committees not otherwise provided for ; announce the result of all votes ; introduce all Corresponding, Non-Resident and Honorary Fellows, or distinguished members of the profession who may be present ; designate one or more Fellows to prepare suitable memoirs of deceased Fellows ; and be *ex-officio*, a member of all Standing Committees, and of the Board of Trustees.

III.—VICE PRESIDENTS.

The Vice Presidents shall assist the President in the discharge of his duties, and in his absence preside in the order of rank.

IV.—RECORDING SECRETARY.

The Recording Secretary shall keep minutes of the proceedings of all meetings ; notify officers and members of committees of their appointment and the duties required of them ; sign diplomas, and certify to all official acts requiring certificates either in connection with, or independently of, the President, as the case may be ; attest and affix the common seal to all diplomas, letters-testimonial, and other documents requiring the seal of the Academy and signature of the President ; transmit to the Committee on Admissions, all nominations for fellowship within one week after each stated meeting ; receive the signatures and initiation-fees of newly elected Fellows, and pay the moneys thus received over to the Treasurer ; be *ex-officio*, a member of the standing committees and of the Board of Trustees ; and transact such other business in his department as may be ordered by the Academy.

V.—ASSISTANT SECRETARY.

§ 1. The Assistant Secretary shall keep a list of the Resident Fellows ; issue notices of meetings ; assist the Recording Secretary in the discharge of his duties, and in his absence perform them.

§ 2. He shall keep a Register in which the signatures of the Fellows in attendance, at each meeting, shall be entered ; and as soon as a quorum is thus ascertained to be present, the regular business of the evening shall commence.

VI.—CORRESPONDING SECRETARY.

The Corresponding Secretary shall take charge of, and conduct, the correspondence of the Academy.

VII.—TREASURER.

The Treasurer shall receive all moneys and funds accruing to the Academy, and shall retain the same until otherwise appropriated ; he shall pay all bills or sums of money directed by the Academy or Council, and none others ; keep a correct account of all moneys received and expended ; have power to

employ a person to collect the dues and assessments ; give a statement of the funds of the Academy to the Council or Academy, have his books ready for their inspection whenever they may require it ; and deliver up, when legally called upon, all moneys, bonds, papers, books, etc., belonging to the Academy, to his successor in office, or to any other person especially appointed to receive them. He shall report to the Trustees every February the names of all Fellows who are two or more years in arrears of dues.

VIII.—LIBRARIAN.

The Librarian shall have charge of all books, pamphlets, manuscripts, anatomical or pathological specimens, apparatus, instruments, medals, coins, or scientific property of whatever kind, and affix to each donation the name of the donor ; keep a catalogue ; observe such rules as shall be prescribed for the regulation of his department, and render a full and detailed account of the condition thereof at least once a year, and oftener if required, to the Council.

IX.—BOARDS AND COMMITTEES.

§ 1. The Council, the Trustees, the Standing Committees, and the Sections, shall meet at least once in each month, and keep regular minutes of their proceedings, which shall be recorded in suitable books provided for the purpose.

§ 2. They shall, in addition to such duties as are hereinafter assigned to them, respectively consider all matters particularly referred to them, and report thereon.

§ 3. When any member of a Standing Committee, or officer, shall fail to discharge his duties to the satisfaction of the Academy, he may be dismissed from his office by a two-thirds vote ; but no motion for dismissal shall be acted upon until the next stated meeting ; prior to which meeting the Recording Secretary shall notify the alleged delinquent of such motion.

§ 4. Every member of a committee, or Fellow, having funds or property belonging to the Academy, shall give up the same on demand, to the person authorized to receive it.

X.—THE COUNCIL.

The Council shall supervise the general affairs and interests of the Academy ; they shall provide suitable accommodations for its meetings, for its movable property, and for its business transactions ; they shall estimate for the annual assessment,

when at any time an increase thereof may be necessary ; they shall audit the financial accounts annually, and oftener if deemed requisite ; they shall authenticate and authorize the payment of all bills against the Academy not exceeding fifty dollars ; they shall confer with the Trustees, the Treasurer, and other officers, and with the standing committees through the chairman of each, in reference to their respective functions and business relations ; they shall appoint the Librarian and the Assistant Secretary ; they shall nominate such Fellows as are to be appointed to deliver series of discourses or lectures on scientific subjects before the Academy, and also a Fellow to deliver the Anniversary Discourse ; they shall determine the propriety of the reading of any paper offered by any person not a member of the Academy ; they shall from time to time select and recommend to the Academy for publication from the archives such essays, memoirs or reports, as are to appear in the printed transactions, or in the printed account of the proceedings and discussions ; they shall superintend the printing and publication of all papers and volumes ordered by the Academy ; and they shall once a year report in full to the Academy. A majority of the Council shall be necessary to constitute a quorum.

XI.—TRUSTEES.

The Trustees shall have charge of the Building Fund and its accumulations by interest, donation or bequest ; and of all the other invested funds of the Academy, and of such real estate as may at any time come into the possession of the Academy. It shall be their duty, under the sanction of the Council, safely to invest, to collect the interest on, and hold the securities for, any moneys of the Academy intrusted to their care ; to report the modes of investment and the condition of the funds or property aforesaid to the Council when required, and annually to the Academy. They shall ascertain at each February meeting, the names of all Fellows who are two years in arrears of dues, and shall notify all such of the fact, and shall, at their discretion, report to the Recording Secretary the names of all persons who have forfeited their membership.

XII.—COMMITTEE ON ADMISSIONS.

The Committee on Admissions, upon receiving from the Recording Secretary the names of the candidates proposed for

fellowship, shall make due inquiry concerning them, and all information thus obtained shall be confidential ; they shall report within three months such as may be deemed worthy of election ; which report, if for Resident Fellowship, shall specify the source whence the nominees derived their diploma or license to practise, with the dates thereof ; and should this committee fail to report within the time specified upon any nomination submitted to them, any Fellow having made such a nomination may renew the same directly to the Academy, and a vote shall be taken upon it ; in this case, however, the affirmative vote of four-fifths of the Fellows present, as ascertained by ballot, shall be requisite to ensure an election ; and on the question being put, it shall be distinctly stated that the nomination has not been approved by the committee. Every newly elected Resident Fellow shall be assigned to a section by the President, subject to change by the Academy.

XIII.—COMMITTEE ON MEDICAL ETHICS.

§ 1. The Committee on Medical Ethics shall hear all complaints of violation of Medical Ethics on the part of any Fellow, and decide all questions of medical ethics submitted to them by the Academy. They shall also notify to appear before them, any Fellow of the Academy against whom any charge may have been preferred, and furnish him with a copy of the same; his accuser being also cited to appear, the Committee shall proceed to take testimony and hear the defence, reserving their decision to be reported to the Academy at the next stated meeting, when their action may be affirmed by a majority of the Fellows present ; but the vote of three-fourths shall be required to reverse the decision of the Committee.

§ 2. Every charge against a Fellow of the Academy, shall be made by a Fellow and addressed to the Recording Secretary, under a sealed cover, with the words, "Charge against a Fellow," written upon it. The reception of such paper shall be announced to the Academy by the Secretary, who, after designating it by a number, shall hand the same over to the Committee on Medical Ethics.

§ 3. It shall be deemed a chargeable offence to countenance, encourage, or patronize,—by advertising, giving certificates, or in any other way whatever,—an irregular practitioner, or the proprietor, or vender, of any nostrum, patent, or quack medicine ; or to commit any act which unfavorably affects the character of the medical Profession.

§ 4. All questions of Ethics in other respects shall, as far as applicable, be adjudged in accordance with the Code of Ethics promulgated by the American Medical Association, and adopted by the Academy.

XIV.—COMMITTEE ON MEDICAL EDUCATION.

The Committee on Medical Education shall have cognizance of the systems of medical instruction, private and public, in this city and State, as compared with such as are elsewhere in use. They shall recommend such improvements in office-training and office-examinations, in text-books, in reading and in practical studies proper for the student, and in the public courses, theoretical and practical, at the colleges and hospitals, as may seem to them in keeping with the advances of medical knowledge and the exigencies of the profession. They shall notice any evasion or infringement of the laws of this State that may come to their knowledge in reference to the granting of degrees. They shall make in other respects, such suggestions as seem to them worthy of attention for rendering our systems of medical education thorough, efficient and satisfactory. They shall report at least once a year to the Academy.

XV.—SECTIONS.

The Sections shall bring before the Academy at its stated meetings, or as otherwise ordered, such matters as pertain to the several departments respectively assigned to them, as subjects for discussion, or other action. They shall severally examine and report on all papers, documents, instruments, apparatus, &c., submitted to them, and give a brief abstract of cases reported in the Sections. They shall severally appoint each year two or more members to read original papers before the Academy. They may also originate and investigate new subjects for discussion.

XVI.—ELECTIONS.

At the stated meeting previous to every election the President shall appoint two Fellows, who, together with the Assistant Secretary, shall constitute a Board of Inspectors, to receive the ballots, and the latter of whom shall record the names of all the voters. The Poll shall be opened immediately after the reading of the minutes, on the evening of the election, and shall be kept open one hour, at the end of which time it

shall be declared closed, and no votes shall thereafter be received. All the officers voted for shall be on one ballot. The Recording Secretary shall cause the names of all the nominees for each office to be printed on slips, two copies of which together with a copy of this by-law, shall be sent to each Fellow with the notice of the election. No Fellow whose annual dues remain unpaid shall be entitled to a vote.

At the close of the poll the Inspectors shall immediately proceed to canvass the votes, and if no choice shall have been made in any one or more of the offices, a new balloting for such officers as are still to be elected shall forthwith take place, the poll for which shall be kept open until all present who may desire it, have voted, but not longer than thirty minutes. At the second and each succeeding ballot, the name of the candidate having the fewest votes shall be withdrawn.

Ballots folded in each other, blank votes, and votes cast for a Fellow not in regular nomination, shall be discarded.

Vacancies occurring in any of the offices or standing committees, shall be filled by the Council.

XVII.—FUNDS.

§ 1. The Securities, Investments, and Funds of the Academy shall not be disposed of, or transferred, in whole, or in part, unless by approval of the Council and by a two-thirds vote of the Academy, and after notice given at a previous meeting; but bills for current or contingent expenses, may be passed by a majority, at any stated meeting, without previous notice.

§ 2. No Loan of the Funds shall be made except on United States, or New York State Stocks, or bond and mortgage. No Fellow, whose fellowship has been vacated, shall have a right, title, or claim to any portion of the funds or property of the Academy. No money shall be borrowed by the Academy, except on a vote of three-fourths of the Fellows present.

XVIII.—DUES AND ASSESSMENTS.

§ 1. There shall be an Annual Assessment of five dollars, which, with all other Assessments ordered by the Academy, shall be paid within the current fiscal year. There shall be an Initiation Fee of five dollars.

§ 2. Any Fellow neglecting to pay his dues for two or more years, shall forfeit his membership, provided he shall have received one month's notice thereof from the Trustees.

XIX.—SIGNING THE CONSTITUTION AND BY-LAWS.

§ 1. Every duly elected Resident Fellow shall affix his Signature to the Constitution and By-Laws within two months after his election ; and in default thereof, said election shall be deemed void, unless a satisfactory excuse be given ;—nevertheless he may be re-nominated and re-elected.

§ 2. No one elected a Resident Fellow shall be entitled to the rights and privileges of fellowship, until he shall have paid his initiation fee and signed the Constitution and By-Laws.

XX.—INVITED GUESTS.

§ 1. Any Resident Fellow may invite his professional friends to attend the meetings of the Academy ; and all Fellows not resident, distinguished physicians, or invited guests, present at a meeting, shall be introduced to the President, and by him to the Academy, and their names entered on the minutes.

§ 2. Any Fellow may, through the Chair, call on other Fellows, or upon invited guests, for the expression of their views and opinions on subjects under consideration.

XXI.—MANUSCRIPT ESSAYS AND PAPERS.

§ 1. A copy of every Discourse, Memoir, or Medical Paper, read before the Academy, shall be kept in its archives, by the Librarian, unless otherwise ordered.

§ 2. All memoirs of deceased Fellows shall be written upon paper of uniform size and quality, furnished by the Recording Secretary, and shall be bound in successive volumes for future reference.

§ 3. All scientific papers read before the Academy, shall be referred to the appropriate sections.

XXII.—RULES OF ORDER.

§ 1. The following shall be the order of business at the stated meetings.

1. Reading the Minutes.
2. At the First Meeting in November, the Annual Discourse.
At the First Meeting in December, the Annual Reports and Nominations of Officers.
At the First Meeting in January, the Annual Election.
3. Report of Committee on Admissions.

4. Election of New Members.
5. Reports of Sections in their order.
6. Reports by leave.
7. Reading of Papers and Discourses.
8. Reception of Professional and Scientific Intelligence.
9. Appointed Debates and Discussions.
10. Unfinished business.
11. New business.

§ 2. When a question is under debate no motion shall be received, but to adjourn ; to lay on the table ; for the previous question ; to postpone ; to refer ; or to amend ;—which several motions shall have precedence in the order in which they are here arranged. The first three shall be decided without debate.

§ 3. When a blank is to be filled, the question shall be first taken on the highest number, the greatest sum, or longest time proposed.

§ 4. Any Fellow may call for a division of a question when the sense will admit of it.

§ 5. The yeas and nays on any question, when called for by five Fellows present, shall be taken without debate and recorded on the minutes.

§ 6. After any question has been decided, except one of indefinite postponement, any two Fellows, who voted in the majority, may at the same or next stated meeting, move for a reconsideration thereof ; without which no discussion shall be allowed.

§ 7. Every Fellow shall have the privilege of speaking once, on any question under consideration ; but not oftener, unless by permission of the Academy.

§ 8. Any Fellow called to order while speaking, shall take his seat, and the debate be suspended until the point of order is settled.

§ 9. All questions of order shall be decided by the Chair, subject to an appeal, which shall be determined by vote, without debate.

§ 10. No motion shall be made while a Fellow is speaking ; and in all cases the mover must rise and address the Chair.

§ 11. All resolutions and amendments shall be offered in writing when required.

§ 12. All questions of order, not provided for by these rules, shall be determined by Parliamentary usage.

XXIII.—ALTERATIONS OF BY-LAWS.

These By-Laws may be suspended by a three-fourths vote at a stated meeting ; and be repealed or amended by a similar vote, provided notice of the same has been given in writing at a previous stated meeting.

A N A C T

TO INCORPORATE THE NEW YORK ACADEMY OF MEDICINE,

Passed June 23d, 1851.

THE people of the State of New York, represented in Senate and Assembly, do enact as follows :

Section 1. J. Kearney Rodgers, James Anderson, Galen Carter, Willard Parker, John H. Griscom, Edward L. Beadle, Isaac Wood, James O. Pond and John G. Adams, and such other persons as are now associated as the New York Academy of Medicine, or may hereafter become associated with them, are hereby constituted a body corporate, by the name of "*The New York Academy of Medicine*," for the purpose of promoting the advancement of Medical Science, by such means as to them shall appear expedient and proper.

Sec. 2. The said Corporation shall have power to make and adopt a constitution and by-laws, rules and regulations for the admission, suspension, and expulsion of its members, and their government ; the election of its officers, and define their duties ; and for the safe keeping and protection of its property and funds, and, from time to time, to alter or repeal such constitution, by-laws, rules, and regulations. The present officers shall hold their respective offices, until others shall be chosen in their places.

Sec. 3. The said Corporation may purchase and hold any real or personal estate, the annual income of which shall not exceed five thousand dollars.

Sec. 4. The said Corporation shall possess the general powers, and be subject to the general restrictions and liabilities prescribed in the third title of the eighteenth chapter of the first part of the revised statutes.

Sec. 5. The corporators, hereby incorporated, are authorized to appoint five* delegates, to represent them in the State

* Altered from *one* by act of June 4, 1853.

Medical Society, with all the powers and privileges which delegates for the respective Medical Colleges of this State possess.

Sec. 6. The Legislature may at any time alter or repeal this act.

State of New York, Secretary's Office.

[L. S.] I certify, that I have compared the foregoing with an original law on file in this office, and that the same is a correct transcript therefrom, and of the whole of said original.

Given under my hand and seal of office, at the City of Albany, this twenty-eighth day of June, one thousand eight hundred and fifty-one.

A. G. JOHNSON,
Dep. Sec. of State.

